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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/881,594

06/14/2001

Patrick N. Sollee

NORT0098US  
(14529RRUS01U)

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7590

07/20/2005

EXAMINER

ALAM, UZMA

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TROP, PRUNER & HU, HU, P.C.  
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Houston, TX 77024

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,594

Applicant(s)

SOLLEE, PATRICK N.

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 8-24 and 27-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to the requirement for election/restriction. Claims 1-29 are pending. Claims 1-7 and 25-26 are chosen without traverse for consideration. Claims 8-24 and 27-29 are withdrawn from consideration. Claims 1-7 and 25-26 represent a method for providing telephony services.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7, 25 and 26 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Thomas et al. US Patent Publication No. 2002/0184316.

Thomas teaches the invention as claimed including system for MAPI client server communication (see abstract).

As per claim 1, Thomas discloses a method for use in communications involving a first terminal that is coupled to one side of a firewall and network address translator, the method comprising:

sending, by the first terminal, a message identifying the first terminal to a node on another side of the firewall and network address translator (a MAPI client initiates a session with a server; paragraph 0015, 0016, 0021, 0028, 0033-0035);

receiving, by the first terminal, another message from the node, wherein the messages between the first terminal and the node causes creation of a path through the firewall and network address translator (sending messages from a node on one side of a network to another node outside of the network; paragraph 0029, 0033-0035); and

repeatedly sending keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages; paragraphs 0039, 0051).

As per claim 2, Thomas discloses the method of claim 1, further comprising receiving a call request, by the first terminal, from the node over the path maintained through the firewall and network address translator (requesting a call from a server; paragraphs 0033, 0034).

As per claim 3, Thomas discloses the method of claim 1, wherein repeatedly sending the keep-alive messages is based on a timer in the first terminal (paragraph 0039, 0051).

As per claim 4, Thomas discloses the method of claim wherein sending the identifying message comprises sending a registration message to register the first terminal with the node (paragraph 0033).

As per claim 7, Thomas discloses the method of claim 1, further comprising exchanging messages, by the first terminal, with the node over the path maintained through the firewall and network address translator to establish a call session (paragraph 0038).

As per claim 25, Thomas discloses a device capable of being used in communications through a firewall and network address translator, the device comprising:

an interface adapted to exchange messages with a node on another side of the firewall and network address translator, the exchange of messages with the node to create a path through the firewall and network address translator (a MAPI client initiates a session with a server; paragraph 0015, 0016, 0021, 0028, 0029, 0033-0035); and

a controller adapted to repeatedly send keep-alive messages to maintain the path through the firewall and network address translator (sending keep-alive messages; paragraphs 0039, 0051).

As per claim 26, Thomas discloses the device of claim 25, further comprising a timer to determine timing of the keep-alive messages (paragraph 0039, 0051).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. US Patent Publication No. 2002/0184316 in view of Roach US Patent Publication No. 2002/0037723.

Roach teaches the invention substantially as claimed including using SIP (see abstract).

As per claim 5, Thomas discloses the method of claim 4. Thomas does not disclose wherein sending the registration message comprises sending a Session Initiation Protocol REGISTER message. Roach discloses sending the registration message comprises sending a Session Initiation Protocol REGISTER message. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages with the SIP REGISTER message of Roach with sending messages of Thomas. A person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

As per claim 6, Thomas and Roach disclose the method of claim 5. Thomas and Roach do not disclose wherein sending the registration message comprises sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. Roach discloses sending the registration message to a Session Initiation Protocol proxy, the node comprising the Session Initiation Protocol proxy. See paragraphs 0102-0105. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine registering messages to a SIP Proxy of Roach with sending messages of Thomas. A

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person of ordinary skill in the art would have been motivated to do this to initiate real time media data sessions.

### *Response to Arguments*

Applicant's arguments with respect to claims 1-7, 25 and 26 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kimchi et al. US Patent Application Publication No. 2002/0120760

Buchbinder et al. US Patent Publication No. 2002/0078198

Bommareddy et al. US Patent No. 6,880,089


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 9 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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